Docket No. 011361-00065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Shen et al.	**EXAMINER:**	Olsen, Kaj K.
SERIAL NO.:	10/621,637	**CONFIRMATION NO.:**	2587
FILED:	July 17, 2003	**ART UNIT:**	1795
FOR:	Low-Cost Room Temperature Electrochemical Carbon Monoxide and Toxic Gas Sensor with Humidity Compensation Based on Protonic Conductive Membranes		

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ORDER TO SHOW CAUSE, and ALTERNATIVELY, PETITION FOR REVIVAL UNDER 37 CFR 1.137(b) accompanied by a copy of a RESPONSE TO NOTICE OF INFORMAL APPLICATION

The undersigned received an Order to Show Cause, dated October 11, 2007, based on the apparent abandonment of the above-identified reissue application (hereinafter "the Reissue Application), the Order having a response deadline of November 11, 2007. The finding of an apparent abandonment of the Reissue Application is based on the Applicants' failure to respond to a Notice of Informal Application, presumably mailed on October 8, 2003.

This paper is in response to the Order to Show Cause, wherein the Office of Patent Legal Administration indicated that Applicants may show cause as to why the Reissue Application proceeding should not be terminated, and alternatively, Applicants have the option to seek revival of the Reissue

Application pursuant to 37 CFR 1.137, based upon either unintentional or unavoidable delay. In this response, Applicants present (1) a showing of cause, and in the alternative, (2) a petition under 37 CFR 1.137(b).

Applicants herewith provide, as Attachment A, a copy of their Response to the Notice of Informal Application, including a copy of the substitute Reissue Application Declaration by the Assignee (Form PTO/SB/52) provided therewith.

Applicants Show Cause as to Why the Reissue Proceeding Should Not be Terminated:

1) Applicants failed to respond to the Notice of Informal Application because Applicants' representative never received the Notice of Informal Application and were unaware that any Notice of Informal Application had been issued by the USPTO with respect to the Reissue Application.

2) As an initial showing, Applicants' representative avers that it has an established patent prosecution practice with well-established procedures for receiving, docketing and distributing communications from the USPTO and maintaining files of these communications.

3) Applicants' representative maintains a file (File No. 011361.00065) associated with the prosecution of the Reissue Application. This file includes all communications received or sent to the USPTO with respect to the Reissue Application.

4) A physical review of File No. 011361.00065 by Applicants' representative revealed that no Notice of Informal Application was placed in the file.

5) A physical and electronic review of Applicants' representatives' docketing system revealed that no Notice of Informal Application was ever docketed. Specifically, Applicants' representative reviewed the responsible attorney's "Daily Docket" for the dates of 01/08/2004 –

01/10/2004, where the non-received Notice of Informal Application would have been entered had it been received, and found no docket entry concerning the Notice of Informal Application. Further, Applicants' representative reviewed a listing of all items docketed for January 8, 2004 within representative's firm, and found no docket entry concerning the Notice of Informal Application. Finally, Applicants' representative reviewed the totality of the "PTO Log Entries" for File No. 011361.00065 and found no entry concerning the Notice of Informal Application.

6) A further review of File No. 011361.00065 revealed that a Filing Receipt for the Reissue Application, mailed October 8, 2003 (the same day as the presumed mailing of the Notice of Informal Application) was received, date stamped October 15, 2003, and entered into Applicants' representatives' docketing system. This provides evidence that Applicants' representatives' well-established procedures for handling communications from the USPTO were in-place and functioning correctly at the time that the Notice of Informal Application would have been received.

7) From facts (2), (3), (4), (5) and (6), Applicants' representative concludes that it never received the Notice of Informal Application.

8) Further, Applicants' representative diligently and repeatedly communicated with the USPTO regarding the status of the Reissue Application.

9) On three different dates after the presumed mailing date of the Notice of Informal Application (on October 8, 2004, July 22, 2005, and November 8, 2006), Applicants' representative filed Status Inquiry requests with the USPTO for the Reissue Application.

10) Although under no obligation to do so, Applicants' representative checked the status of the Reissue Application using the USPTO's on-line PAIR system's Transaction History site each time a Status Inquiry

was submitted and noted the status indication in the Status Inquiry request:

- On October 8, 2004, the PAIR system indicated "Application Dispatched From Pre-exam, Not Yet Docketed";
- On July 22, 2005, the PAIR system indicated "Case Docketed to Examiner in GAU";
- On November 8, 2006, the PAIR system indicated "Case Docketed to Examiner in GAU."

11) Further, on the date that the Notice of Informal Application was presumably mailed, October 8, 2003, the PAIR system's Transaction History site merely indicates:

- Application Return from OIPE
- Application Is Now Complete
- Application Return TO OIPE
- Application Dispatched from OIPE
- Application Is Now Complete

12) None of these benign status indications alerted Applicants' representative that a Notice of Informal Application had been issued or that Applicants had failed to timely respond to such notice.

13) Even further, no other status indication on the PAIR system's Transaction History site (even as of October 23, 2007, i.e. twelve days after the mailing date of the Order to Show Cause), indicates that a Notice of Informal Application had been issued or that Applicants had failed to timely respond to any such notice.

14) That a copy of the Notice of Informal Application is available for download from the PAIR system's Image File Wrapper site, as noted in the Order to Show Cause, is of no consequence, as Applicants were not aware that such a document existed, were not aware that such a document was available for download from the Image File Wrapper

site, and are under no duty to check and download documents stored in the Image File Wrapper Site.

In summary, Applicants respectfully submit that the failure to respond to the Notice of Informal Application was not through any fault or lack of diligence on their part or their representatives' part.

Applicants hereby respectfully request that the Office of Legal Administration consider the above-presented evidence to provide a sufficient basis as to why the Reissue Application proceeding should not be terminated.

Alternative Request for Granting of Petition to Revive Under 37 CFR 1.137(b)

Should the Office find the above evidence insufficient, Applicants, in order to move the prosecution of this Reissue Application forward, alternatively seek revival of the Reissue Application under 37 CFR 1.137(b). To that end, Form PTO/SB/64, "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" is filed herewith, accompanied by:

a copy of the Response to the Notice of Informal Application, with substitute Declaration;

the requisite fee authorization for the Petition; and

a statement that the entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition was unintentional.

Applicants understand that as this Petition is for the revival of a reissue application, that the provisions of 37 CFR 1.137(d)(1) do not apply pursuant to 37 CFR 1.137(d)(3), and that therefore, Applicants do not need to file a Terminal Disclaimer.

Further, the Commissioner is hereby authorized to charge any fee associated with this document, including any fees due under 37 CFR 1.17(m) associated with the Petition for Revival, to **Deposit Account No. 19-0733**. Any overpayments should be credited to the same Deposit Account.

Respectfully submitted,

Peter D. McDermott (Reg. No. 29,411)
Attorney for Applicant
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109-1775
Telephone: (617) 720-9600
Facsimile: (617) 720-9601
E-Mail: pmcdermott@bannerwitcoff.com

Date: 8 Nov 2007

ATTACHMENT A

Docket No. 011361-00065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Shen et al.	**EXAMINER:**	Olsen, Kaj K.
SERIAL NO.:	10/621,637	**CONFIRMATION NO.:**	2587
FILED:	July 17, 2003	**ART UNIT:**	1795
FOR:	Low-Cost Room Temperature Electrochemical Carbon Monoxide and Toxic Gas Sensor with Humidity Compensation Based on Protonic Conductive Membranes		

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF INFORMAL APPLICATION

This paper is in response to a Notice of Informal Application, presumably mailed on October 8, 2003. Applicants present herewith a substitute Reissue Application Declaration by the Assignee pursuant to the Notice of Informal Application (Form PTO/SB/52). The joint inventors' names, residences and citizenships are supplied therein. The subject Reissue Application Declaration By The Assignee filed herewith is additional to the Reissue Application Declaration By The Assignee (copy attached), filed originally with this reissue application.

As set forth in the original reissue application, consistent with the Reissue Application Declaration By The Assignee filed originally with this reissue application, this reissue application does not seek to enlarge the scope of the claims of the original patent.

A copy of this paper accompanies a Response to Order to Show Cause and Alternatively, Petition for Revival Under 37 CFR 21.137(b), filed with the Office of Patent Legal Administration.

The Commissioner is hereby authorized to charge any fee associated with this document, including any fees due under 37 CFR 1.17(m) associated with the Petition for Revival, to **Deposit Account No. 19-0733**. Any overpayments should be credited to the same Deposit Account.

Respectfully submitted,

Peter D. McDermott (Reg. No. 29,411)
Attorney for Applicant
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109-1775
Telephone: (617) 720-9600
Facsimile: (617) 720-9601
E-Mail: pmcdermott@bannerwitcoff.com

Date: November 8, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/621,637	07/17/2003	Yonsheng Shen	011361.00065

CONFIRMATION NO. 2587

22910
BANNER & WITCOFF, LTD.
28 STATE STREET
28th FLOOR
BOSTON, MA 02109-9601

FORMALITIES LETTER

OC000000011006978

Date Mailed: 10/08/2003

NOTICE OF INFORMAL APPLICATION

This application is considered to be informal since it does not comply with the regulations for the reason(s) indicated below. The period within to correct the informalities noted below and avoid abandonment is set in the accompanying Office action.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the citizenship of each inventor.
- does not state whether the inventor is a sole or joint inventor.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: **Shen et al.**

Assignee: **Atwood Mobile Products, Inc.**

U.S. Patent No.: **5,650,054** **Date Issued:** **July 22, 1997**

Application No.: **522,946** **Date Filed:** **September 1, 1995**

Title: **LOW-COST ROOM TEMPERATURE CARBON MONOXIDE AND TOXIC GAS SENSOR WITH HUMIDITY COMPENSATION BASED ON PROTONIC CONDUCTIVE MEMBRANES**

****

Mail Stop Reissue
Commissioner for Patents
P.O. Box. 1450
Alexandria, VA 22313-1450

COPY

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Dear Sir:

I, David Bovee, hereby declare that:

1. Dura Automotive Systems, Inc. is authorized to act on behalf of Atwood Mobile Products, Inc. Atwood Industries, Inc. made a capital contribution of all its assets to Atwood RV Products, Inc. Atwood RV Products, Inc. merged with two other companies and subsequently changed its name to Atwood Mobile Products, Inc. I am authorized to act on behalf of Dura Automotive Systems and the title of my position with Dura Automotive Systems, Inc. is Vice President.

2. This declaration is being filed to complete the requirements for filing a reissue application for the above-referenced patent. I understand that the assignee of entire interest is authorized to make this declaration for reissue application under 37 C.F.R. § 1.172(a) because the reissue application is not seeking to enlarge the scope of the claims.

3. I believe the inventors to be the original and first inventors of the subject matter that is described and claimed in the above-referenced patent, for which a reissue patent is sought on the invention referenced above.

4. A copy of the specification, figures, abstract and claims of U.S. Patent No. 5,650,054 is attached hereto.

5. I have reviewed and understand the contents of the specification, figures, abstract and claims of the above-referenced patent and the claims presented in the preliminary amendment filed with this declaration.

6. A chart showing the differences in claim language between the original patent claims and claims 66-75 presented in the reissue application is attached to this declaration. Because presented reissue claims 1-65 are exactly the same as original patent claims 1-65, respectively, these claims have been omitted from the chart.

7. I acknowledge my duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

8. I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming less than he had the right to claim in the patent.

In particular, patentee failed to claim a two-electrode electrochemical gas sensor for quantitative measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material

and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being the only two electrodes in contact with the first protonic conductive electrolyte membrane and the sensing electrode reacting with the gas to produce a change in electrical characteristic between the sensing electrode and the counter electrode; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without any deceptive intention on the part of the patentee.

Patentee also failed to claim an electrochemical gas sensor for quantitative measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode reacting with the gas to produce a change in electrical characteristic between the sensing electrode and the counter electrode in the absence of an applied voltage to the sensing electrode; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second

electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without any deceptive intent on the part of the patentee.

Patentee also failed to claim a two-electrode electrochemical gas sensor for quantitative measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being the only two electrodes in contact with the first protonic conductive electrolyte membrane, and the sensing electrode reacting with the gas to produce a change in electrical characteristic between the sensing electrode and the counter electrode in the absence of an applied voltage to the sensing electrode; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without any deceptive intent on the part of the patentee.

Patentee also failed to claim an electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being on opposite sides of the first protonic conductive electrolyte membrane; means for electrical

measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without deceptive intent on the part of the patentee.

Patentee also failed to claim an electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being on opposite sides of the first protonic conductive electrolyte membrane and the sensing electrode and the counter electrode being the only two electrodes in contact with the first protonic conductive electrolyte membrane; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without deceptive intent on the part of the patentee.

Patentee also failed to claim an electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an

electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being on opposite sides of the first protonic conductive electrolyte membrane, the sensing electrode reacting with the gas to produce a change in electrical characteristic between the sensing electrode and the counter electrode in the absence of an applied voltage to the sensing electrode; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without deceptive intent on the part of the patentee.

Patentee also failed to claim an electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being on opposite sides of the first protonic conductive electrolyte membrane, the sensing electrode and the counter electrode being the only two electrodes in contact with the first protonic conductive electrolyte membrane, and the sensing electrode reacting with the gas to produce a change in electrical characteristic between the sensing electrode and the counter electrode in the absence of an applied voltage to the sensing electrode; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of

said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic. Such error arose without deceptive intent on the part of the patentee.

Patentee also failed to claim a non-biased electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic in the absence of any biasing voltage. Such error arose without deceptive intent on the part of the patentee.

Patentee also failed to claim a non-biased electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes, the sensing electrode and the counter electrode being the only two electrodes in contact with the first protonic conductive electrolyte membrane; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of

said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic in the absence of any biasing voltage. Such error arose without deceptive intent on the part of the patentee.

Patentee also failed to claim a non-biased electrochemical gas sensor for measurement of a gas in an ambient atmosphere comprising: a sensing electrode permeable to water vapor and comprised of an electrical conducting material and having a surface exposed to the ambient atmosphere; a counter electrode permeable to water vapor and comprised of an electrical conducting material, the sensing electrode reacting with the gas to produce a change in electrical characteristic between the sensing electrode and the counter electrode in the absence of an applied voltage to the sensing electrode; a first protonic conductive electrolyte membrane permeable to water vapor and situated between and in contact with the sensing and counter electrodes; means for electrical measurement electrically connected to said sensing and counter electrodes; means, containing a volume of water vapor, for exposing a surface of said counter electrode to said water vapor, wherein the electrical conducting material of at least one of said sensing and counter electrodes is a proton-electron mixed conductive material having 10-50 wt % of a proton conductor material and 50-90 wt % of a first and a second electrical conductor material; whereby, in a positive ambient atmosphere concentration of said gas, said electrical measurement means detects changes in said electrical characteristic in the absence of any biasing voltage. Such error arose without deceptive intent on the part of the patentee.

9. All errors corrected in the reissue application arose without deceptive intention on the part of the Applicant.

10. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

7 July 2003
Dated

David Bovee
Vice President, Dura Automotive Systems, Inc.

PTO/SB/52 (10-05)
Approved for use through 04/30/2007. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE	Docket Number (optional)

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: **Atwood Mobile Products, Inc.**

and the title of my position with said assignee is: **Engineering Manager**

The entire title to the patent identified below is vested in said assignee.

Inventor	Citizenship
Yousheng Shen	**US**
Residence/Mailing Address	
14687 South Nestled Cover, Draper, Utah 84020	
Inventor	Citizenship
Franco Consadori	**US**
Residence/Mailing Address	
3468 Bridgetown Road, Bristol, Indiana 46507	

☒ Additional Inventors are named on separately numbered sheets attached hereto.

Patent Number	Date of Patent Issued
5,650,054	**July 22, 1997**

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

Low-Cost Room Temperature Electrochemical Carbon Monoxide and Toxic Gas Sensor with Humidity Compensation Based on Protonic Conductive Membranes

the specification of which

☐ is attached hereto.

☒ was filed on **July 17, 2003** as reissue application number **10 / 621,637**

and was amended on **July 17, 2003**
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming ~~more or~~ less than he had the right to claim in the patent.

☐ by reason of other errors.

PTO/SB/52 (10-05)
Approved for use through 04/30/2007. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE	Docket Number (Optional)

At least one error upon which reissue is based is described as follows:

Patentee failed to claim a two-electrode chemical sensor wherein a sensing electrode and a counter electrode are the only two electrodes in contact with a first protonic conductive electrolyte membrane. Therefore, Patentee has added a new claim that incorporates these recitations into the recitations of issued claim 1.

[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:

☒ Practitioners associated with Customer Number: **Peter D. McDermott Reg. No. 29,411**

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

☒ The address associated with Customer Number: **22910**

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signature _____ Date 11/7/07

Full name of person signing (given name, family name)

Mark Smith, Engineering Manager

Address of Assignee

1120 North Main Street, Elkhart, IN 46514

Reissue Application Declaration by the Assignee (Continued)

Docket Number (optional)

Additional Inventor:

Inventor	Citizenship
D. George Field	**US**

Residence/Mailing Address
1180 West 1100 North
Pleasant Grove, Utah 84062